

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LOLITA VENCHELLE CHAPMAN,

Defendant,

and

STATE OF MICHIGAN
DEPARTMENT OF TREASURY

Garnishee.

Case No. 19-mc-50473
Honorable Laurie J. Michelson

ORDER ON APPLICATION FOR WRIT OF GARNISHMENT [1]

In the underlying criminal action, Lolita Chapman pled guilty, pursuant to a Rule 11 Plea Agreement, to one count of conspiracy to commit bank robbery in violation of 18 U.S.C. § 371. On July 17, 2018, she was sentenced to 37 months imprisonment and ordered to pay \$47,635 in restitution to a number of banks – jointly and severally with several co-conspirators. Prior to her release from prison, and “In an attempt to secure payment of the outstanding restitution obligation, the United States obtained a writ of garnishment for the defendant’s future State of Michigan income tax refunds.” (ECF No. 5, PageID.26).

Chapman then filed a Request for Hearing for the following reason: “I am in the financial responsibility program which I am paying restitution and my restitution is supposed to be split between my co-defendants.” (ECF No. 4, PageID.19.) She also claimed the following asset

exemptions: wearing apparel and school books, fuel, provisions, furniture and personal affects, and undelivered mail. (*Id.*)

The Court held a telephonic hearing on May 30, 2019. It heard from the parties and explained to Chapman the scope and effect of the writ of garnishment. For the reasons stated more fully on the record during the hearing, the relief requested by Lolita Chapman is DENIED. The Garnishee shall withhold income tax refunds and/or lottery winnings that may become due and payable to Chapman and remit those funds to the Clerk of the Court for application against the judgment in case number 2:16CR20204-04. This should not impact Chapman's ability to continue with the RDAP program.

IT IS SO ORDERED.

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE

Date: June 17, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel of record and/or pro se parties on this date, June 17, 2019, using the Electronic Court Filing system and/or first-class U.S. mail.

s/William Barkholz
Case Manager